

Statement of Anne M. Vrooman, Director of Research and Development, State Bar of  
Michigan

HB 4403 - Revision to Jury Pool Selection Process

Senate Judiciary Committee – September 20, 2011

Mr. Chairman and members of the Senate Judiciary Committee: My name is Anne Vrooman. I am the Director of Research and Development for the State Bar of Michigan. I have held that position for the past five years, coming to the State Bar after nearly fifteen years with the Michigan Supreme Court and State Court Administrative Office, where I worked on jury issues in my roles as Director of Intergovernmental Relations and Senior Management Analyst.

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On behalf of the State Bar of Michigan I appreciate this opportunity to appear before you today to participate in this important hearing. The State Bar of Michigan is pleased to speak in favor of HB 4403 and we applaud you for focusing on the critically important topic of improving the jury selection process to increase the opportunity for increased citizen participation in jury service. The American Bar Association Principles for Juries and Jury Trials states as Principle 10 – **COURTS SHOULD USE OPEN, FAIR, AND FLEXIBLE PROCEDURES TO SELECT A REPRESENTATIVE POOL OF PROSPECTIVE JURORS.**

HB 4403 as introduced seeks to address a practice that was occurring in the Wayne County jury selection process a few years ago, where the names of individuals who had been sent questionnaires but did not return the questionnaire, were included in what is called a “suppression file” – and their names were then struck from further jury lists. This practice had a very negative impact on the jury system in Wayne County – essentially allowing people to self-select out of both present and future jury service by simply not returning the questionnaire, and also closed the opportunity of future jury service to individuals who for whatever reason might not have received the questionnaire and then ended up being permanently excluded. Deliberately, there are very limited permanent exclusions from jury service and those are well enumerated in statute. While the practice of placing individuals on the suppression when the juror questionnaire is not returned is no longer being used in Wayne County, HB 4403 clarifies that it is a practice that should not be used in jury management systems throughout the state.

In 2006 the National Center for State Courts conducted a comprehensive assessment of the Wayne County Jury System and made a number of recommendations aimed at improving the representativeness of juries in Wayne County – one of the key recommendations was to discontinue the practice of removing the names of individuals who fail to respond from the jury list, and to develop a program to release previously captured names back into the eligible pool.

Again, on behalf of the State Bar of Michigan, I appreciate this opportunity to appear before you and participate in this important hearing. I will be glad to answer any questions that you may have concerning the position of the State Bar of Michigan.

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